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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/044,603	01/10/2002	Kathrin Berkner	74451.P137	9494

7590 12/01/2004

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EXAMINER

KASSA, YOSEF

ART UNIT PAPER NUMBER

2625

DATE MAILED: 12/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/044,603	<b>Applicant(s)</b> BERKNER ET AL.	
	<b>Examiner</b> YOSEF KASSA	<b>Art Unit</b> 2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 10 January 2002.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-85 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6, 10, 15-18, 20, 28-35, 37, 39, 41-43, 54, 55 and 73-85 is/are rejected.
- 7) ☒ Claim(s) 7, 9, 11-14, 19, 21-27, 36, 38, 40, 44-53 and 56-72 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-6, 10, 15-18, 20, 30, 32, 35, 37, 39, 41-43, 55, 57, 59, 62, 63, 74-78

and 80-85 are rejected under 35 U.S.C. 102(e) as being anticipated by Sun et al (U.S. Pub. 2002/0057385).

With regarding to claim 1, Sun et al discloses receiving an image (note that image 16, in Fig. 1, received by server 18); and creating a smaller, i.e., down-sampling, representation of the image from a wavelet representation of the image (see page 1, paragraph 13), including selecting display size of the smaller representation of the image based on content of the image (see page 1, paragraph 13, the process of calculating the display size base on the pair information) and at least one physical property of a display device to display the smaller representation of the image (see page 2, paragraph 16, which reads on down-sampling the images 24 and 26 to adapt the pairs if the sizes of images are larger).

With regarding to claim 2, Sun et al discloses further comprising selecting an output shape for the smaller representation based on content of the image (see page 2, paragraph 16) and at least one physical property of a display device to display the smaller representation of the image (see paragraph 19).

With regarding to claim 3, Sun et al discloses further comprising selecting an output application for the smaller representation based on content of the image and at least one physical property of a display device to display the smaller representation of the image (see page 2, paragraph 19).

Claim 4 is similarly analyzed as claims 1 and 2.

With regarding to claim 5, Sun et al discloses further comprising selecting an output resolution for the smaller representation based on content of the image and at least one physical property of a display device to display the smaller representation of the image (see page 2, paragraph 19).

Claim 6 is similarly analyzed as claims 4 and 5.

With regarding to claim 8, Sun et al discloses wherein creating a smaller representation of the image from a wavelet representation of the image includes downsampling the image a number of times large enough to cause an entirety of the smaller representation of the image to be visible on the display device (see page 2, paragraph 16).

With regarding to claim 10, Sun et al discloses wherein creating a smaller representation of the image from a wavelet representation of the image includes suppression of noisy wavelet coefficients (see page 1, paragraph 15).

With regarding to claim 15, Sun et al discloses wherein creating a smaller representation of the image from a wavelet representation of the image includes varying display window size of a segment of the image for a given fixed segment shape (see page 1, paragraph 13).

With regarding to claim 16, Sun et al discloses wherein creating a smaller representation of the image from a wavelet representation of the image includes varying display window size of a segment of the image for a given fixed segment resolution (see page 2, paragraph 16).

With regarding to claim 17, Sun et al discloses wherein creating a smaller representation of the image from a wavelet representation of the image includes varying segment shape of a segment of the image for a given fixed display window size (see page 1, paragraph 13).

With regarding to claim 18, Sun et al discloses wherein creating a smaller representation of the image from a wavelet representation of the image includes varying resolution of a segment of the image for a given fixed display window size (see page 2, paragraph 16).

With regarding to claim 20, Sun et al discloses wherein the size of the smaller representation of the image depends on pixels per viewing angle of the display device (see page 1, paragraph 14).

With regarding to claim 30, Sun et al discloses wherein creating a smaller representation of the image from a wavelet representation of the image includes partitioning the wavelet domain into cells (see Fig. 2, item 102).

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With regarding to claim 32, Sun et al discloses further comprising displaying only parts of the image that are associated with a particular display scale (see page 1, paragraph 13).

Claim 35 is similarly analyzed as claim 1.

Claim 55 is similarly analyzed as claim 1.

Claims 74, 76, 77, 78, 84 and 85 and 78 are similarly analyzed as claims 1-6.

With regard to claim 75, Sun et al discloses wherein selecting a specific resolution segment is based on page layout for printing (see page 1, paragraph 13).

Claim 79 is similarly analyzed as claim 17.

Claims 37 and 57 are similarly analyzed as claim 8.

Claims 39 and 59 are similarly analyzed as claim 10.

Claims 41, 61 and 79 are similarly analyzed as claim 17.

Claims 42 and 62 are similarly analyzed as claim 15.

Claims 43 and 63 are similarly analyzed as claim 14.

Claims 80-83 are similarly analyzed as claim 1-6.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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Claims 29, 31, 54 and 73 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sun et al (U.S. Pub. 0057385), and further in view of Murao (U.S. Patent 6,141,452).

With regarding to claims 29, Sun et al is silent about partitioning the image into segments includes partitioning the image by JPEG2000 code units. However, at the same field of endeavor Murao discloses this feature (see col. 3, lines 3-10). At the time of the invention was made, it would have been obvious to an ordinary skill in the art to incorporate the teaching of Murao's JPEG system into Sun et al. The motivation doing so is provide JPEG2000 system to compress image information.

Claim 31 is similarly analyzed as claim 29.

Claims 54 and 73 are similarly analyzed as claim 29.

#### ***Allowable Subject Matter***

3. Claims 7, 9, 11-14, 19, 21-27, 36, 38, 40, 44-53 and 56-72 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

#### **Other Prior Art Cited**

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US Patent No. (6,363,381) to Lee et al disclose compressed document matching.

US Patent No. (5,995,644) to Lai et al disclose robust and automatic adjustment of display window width and center for MR images.

US Patent No. (5,610,729) to Nakajima discloses noise reduction apparatus for reducing noise in decoding of moving picture sequence.

US Patent No. (6,055,340) to Nagao disclose method and apparatus for processing digital images to suppress their noise and enhancing their sharpness.

US Patent No. (6,226,412) to Schwab disclose secure digital interactive system for unique product identification and sales.

### **Conclusion**

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to YOSEF KASSA whose telephone number is (703) 306-5918. The examiner can normally be reached on Monday-Thursday from 8:00 AM to 6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, BHAVESH MEHTA can be reached on (703) 308-5246. The fax phone numbers for the organization where this application or proceeding is assigned is (703) 872-9306 for regular communication and (703) 872-9306 for after Final communications.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published



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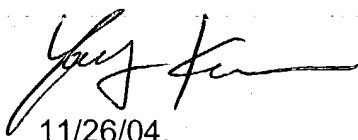
applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

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Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

**PATENT EXAMINER**

Yosef Kassa

A handwritten signature in black ink, appearing to read 'Yosef Kassa', is written over a horizontal dashed line.

11/26/04.